



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	#2019-0047
Approved by Planning and Zoning:	June 13, 2019
Permission is hereby granted to:	Java Grill, LLC
to use the premises located at:	611 King Street
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

6/13/2019
Date

Karl Moritz (by FL)
Karl Moritz, Director
Department of Planning and Zoning

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

No Comments received.

Code Enforcement:

No comments received.

Health Department:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

Fire:

No comments received.

22. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (P&Z) (SUP #2018-00105)
23. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (P&Z) (SUP #2018-00105)
24. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (P&Z)
25. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (P&Z) (SUP #2018-00105)
26. The applicant shall contact the T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar programs if one is created) that offers discounted parking at select City parking facilities on evenings and weekends. (P&Z) (SUP #2018-00105)

12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (P&Z) (SUP #2006-0013)
13. No amplified sound shall be audible at the property line. (P&Z) (SUP #2006-0013)
14. The applicant shall require its employees who drive to use off-street parking. (P&Z) (SUP #2006-0013)
15. The applicant shall control cooking odors and smoke from the property to prevent them from being a nuisance to neighboring properties as determined by the Department of Transportation and Environmental Services. (P&Z) (SUP #2006-0013)
16. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (P&Z) (Police) (SUP #2006-0013)
17. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP #2018-0105)
18. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation to discuss all SUP provisions and requirements, and on how to prevent the underage sales of alcohol. (P&Z) (SUP #2006-0013)
19. The applicant shall participate in any organized program to assist with both employee and customer parking for business that is formed as a result of suggested parking strategies in the King Street Retail Study, at least to the extent already required by this SUP with regard to employee and customer parking. (P&Z) (SUP #2006-0013)
20. All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving boxes, coat racks, storage bins, and closets shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z) (SUP #2018-00105)
21. Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z) (SUP #2018-00105)

CONDITIONS OF SPECIAL USE PERMIT #2019-0047

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any other business entity in which the applicant has a controlling interest. (P&Z) (SUP #2006-0013)
2. The applicant shall install an automatic sprinkler system. (Fire) (SUP #2006-0013)
3. The seating capacity is limited to 70 indoor seats, as requested by the applicant. (P&Z) (SUP #2006-0013)
4. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation on each day that the business is open to the public. (P&Z) (SUP #2006-0013)
5. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2006-0013)
6. Live entertainment shall be limited to two acoustic, non-amplified performances by one musician, generally a guitarist or violinist, per week. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as entertainment. Live entertainment shall be limited to inside the restaurant and is not permitted outside. (P&Z) (SUP #2006-0013)
7. No motor vehicle delivery service is permitted. (P&Z) (SUP #2006-0013)
8. On-site beer and wine service is permitted; no off-premise alcohol sales are permitted. (P&Z) (SUP #2006-0013)
9. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2006-0013)
10. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to 7:00 a.m. to 11:00 ~~9:00~~ p.m. daily. (P&Z) (SUP #2006-0013)
11. No food, beverages, or other materials shall be stored outside. (P&Z) (SUP #2006-0013)

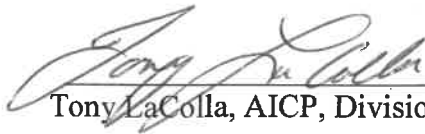
Condition #10 was amended to reflect the applicant's request.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: June 13, 2019

Action: Approved



Tony LaColla, AICP, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Department Comments
3) Statement of Consent

DATE: June 13, 2019

TO: Tony LaColla
Division Chief, Land Use Services,
Department of Planning and Zoning

FROM: Cara DelVecchio
Non-development Case Unit Intern, Land Use Services,
Department of Planning and Zoning

SUBJECT: Special Use Permit #2019-0047
Administrative Review for a Minor Amendment
Site Use: Restaurant
Applicant: Java Grill, LLC
Location: 611 King Street
Zone: KR/King Street Urban Retail

Request

Special Use Permit #2010-0047 is a request for a minor amendment to an existing restaurant, Java Grill, to expand operation hours from 7 a.m. to 9 p.m. daily, to 7 a.m. to 11 p.m. daily. No additional changes to the current operations are proposed. The business would continue to offer breakfast, lunch, and dinner, as well as coffees and teas.

Background

A restaurant has operated at this site since October 1980. On May 20, 2006 City Council approved SUP #2006-0013 for a special use permit to increase the seating at a restaurant, Bread and Chocolate. Since 2011 there have been four complaints regarding trash in the rear alleyway behind the restaurant. These complaints were addressed immediately once the owner was notified. In December 2018, special use permit #2018-0105 was approved for a request for a change of ownership from Bread and Chocolate to Java Grill, LLC.

Parking

Pursuant to Section 8-300 (B) of the Zoning Ordinance, parking requirements do not apply to restaurants located within the Central Business District.

Community Outreach

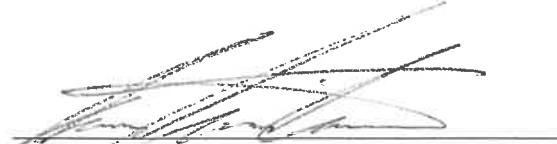
Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Old Town Civic Association was sent an email notification of the current application. Staff has not received any comments from residents or adjacent businesses.

Staff Action

Staff does not object to the change in hours for Java Grill at 611 King Street as the two additional hours each day would not augment neighborhood impacts. The expansion of hours would allow the applicant flexibility in their operations and continue to provide a vibrant dining experience to the community. Staff has updated conditions to current language and

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0047. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant use at 611 King Street.


Applicant – Signature

June 14, 2019
Date

Katarina Tran
Applicant – Printed

June 14, 2019
Date

